

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

EUSTACE ARRINDELL, Individually and
As Administrator of the Estate of
Marguerite Arrindell, deceased,

ORDER

Plaintiff,

v.

Civil Docket No.: 09-cv-0165

TIMOTHY B. HOWARD,
Sheriff of the County of Erie,
ERIE COUNTY SHERIFF'S DEPARTMENT,
COUNTY OF ERIE, RONALD MOSCATI, MD,
LESLEY PYJAS, RN and
ANDREW CASE, PA

Defendants.

The plaintiff, Eustace Arrindell, Individually and as Administrator of the Estate of Marguerite Arrindell, deceased, by his attorneys, Vinal & Vinal, P.C., having moved for approval of the settlement with the County defendants in the amount of \$90,000 pursuant to Local Rule 41.1(c),

UPON the affidavit of Eustace Arrindell, sworn to on February 4, 2013 and the Declaration of Jeanne M. Vinal, Esq., sworn to on February 1, 2013, and upon all the pleadings and proceedings had heretofore herein,

IT IS HEREBY ORDERED that the motion of the plaintiff to approve the compromise of the portion of the action is in all respects granted with the only claims remaining being the civil case against Dr. Moscati, and it is further

ORDERED that the plaintiff be and hereby is given leave to settle with the County defendants in the amount of \$90,000 and that the attorney fees of \$26,161.91 be and hereby are

approved and that the disbursements of \$11,514.26 be and hereby are approved and that the plaintiff petition the Surrogate Court to allocate the recovery between wrongful death and pain and suffering, pursuant to EPTL 5-4.6.

DATED: Buffalo, New York
February 5, 2013

Hon. William M. Skretny, Chief District Judge